

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:09CR151

JAIME G. ALVARAZ

ORDER

This cause is before the Court on defendant Alvaraz's Motion for Continuance [11]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The defendant seeks a continuance of the trial set to commence on January 11, 2010. In support of the motion, defense counsel avers that he has had insufficient time to devote to trial preparation due to his obligations in other matters. The government has no objection to the requested relief. Based on the foregoing, the Court finds that the defendant's motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(7)(A), the period of delay from January 11, 2010 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford defendant a reasonable time for adequate and effective preparation of his defense. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. Defendant Alvaraz's Motion for Continuance [11] is GRANTED;
2. That the trial of this matter is continued until Monday, March 15, 2010 at 9:00 a.m.
in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from January 11, 2010 until March 15, 2010 is excluded as set out
above;
4. That the deadline for filing pretrial motions is February 22, 2010;
5. That the deadline for submitting a plea agreement is March 1, 2010.

SO ORDERED, this the 6th day of January, 2010.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE